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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,709	12/30/2003	Khosro Shamsaifar	WJT08-0057	2108

7590 06/06/2006
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EXAMINER

PAN, YUWEN

ART UNIT PAPER NUMBER

2618

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/748,709	SHAMSAIFAR ET AL.	
	Examiner	Art Unit	
	Yuwen Pan	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 11, 14-19, 25, 28-35, 44 and 45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11, 14-19, 25, 28-35, 44 and 45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/31/06 has been entered.

Response to Arguments

2. Applicant's arguments filed 3/31/06 have been fully considered but they are not persuasive.

The applicant argues that there is no motivation to combine the prior art of record, between Hagn and Partridge. And examiner's obviousness type of rejection is hindsight. The examiner respectfully disagrees. Hagn reference teaches and suggests most claim limitations as described by the applicant's invention except the part wherein "said tunable band pass filter associated with said second RF switch utilizes voltage tunable dielectric capacitors to enable tuning". Since Hagn is focusing on the combined front-end circuit for wireless transmission systems. It is light on the detail of each individual component for the wireless transmission systems, such as the tunable band pass filter ("suitable filter" described by Hagn). Hagn did suggest that a suitable filter technology may be utilized for each of ...in a suitable filter technology (see paragraph 50). One of ordinary skill in the art would think what kind of suitable filter technology is required for this multiple band pass filter and detail of the electronic elements might need for it. At the other side, Partridge discloses switched charged voltage driver and

method for applying voltage to tunable dielectric devices. Such device is currently applying to scanning antennas for both point-to-multi-point and point-to-point applications, and a wide range of tunable filter applications (see column 1 and lines 29-35). Thus, clearly Partridge suggest utilizing his invention in which charging or discharging of the capacitor for providing the control voltage within the tunable device and for wireless front ends. Therefore the previous rejections stand.

DETAILED ACTION

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 11, 15-19, 25, 31-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hagn (US 20020090974A1) in view of Partridge et al (US006535076B2).

Per claims 1, 15, and 31, Hagn discloses an electronically tunable RF Front End Module (see figure 1, 12 and 13), comprising: an antenna for transmitting and receiving a plurality of RF signals (see figure 1 item A); a Diplexer High and low pass filter in communication with said antenna for distinguishing a plurality of groups of RF signals (see figure 1 items HDI1 and LDI1); a second RF switch in communication with said first RF switch for switching between transmit and receive signals (see figure 1 item MS1); a low pass filter associated with said second RF switch for transmitting selected RF signals from said plurality of RF signals (see

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figure 1 and item SF1,2); a third RF switch in communication with said first RF switch for switching between transmit and receive signals (see figure 1 and item US1); and a low pass filter associated with said third RF switch for transmitting selected RF signals from said plurality of RF signals (see figure 1 and item SF3). Hagn's admitted prior art doesn't teach that a tunable band pass filter associated with said second RF switch for distinguishing received selected RF signals from said plurality of received RF signals and a tunable band pass filter associated with said third RF switch for distinguishing received selected RF signals from said plurality of received RF signals. Hagn's invention teaches that that a tunable band pass filter associated with said second RF switch for distinguishing received selected RF signals from said plurality of received RF signals (see figure 11 and item DU10) and a tunable band pass filter associated with said third RF switch for distinguishing received selected RF signals from said plurality of received RF signals (see figure 12 and item SF3,4, column 5 and paragraph 50). It would have been obvious to one ordinary skill in the art at the time the invention was made to combine teaching of Hagn and Hagn's admitted prior art such that highly integrated filters and switch would be able to reduce the size of a 3G phone.

Furthermore, Hagon doesn't teach that said tunable band pass filter associated with said second RF switch utilizes voltage tunable dielectric capacitors to enable tuning. Partridge teaches that said tunable band pass filter associated with said second RF switch utilizes voltage tunable dielectric capacitors to enable tuning (see column 1 and line 55-column 2 and line 32). It would have been obvious to one ordinary skill in the art at the time the invention was made to combine the teaching of Partridge with Hagon such that the voltage tunable dielectric materials

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have several inherent advantages including sub-nanosecond response times and very low current under switching conditions (see column 1 and lines 29-45).

Per claims 2, 16, 32, Hagn further teaches that said unbalanced band pass filter associated with said second RF switch for distinguishing received selected RF signals from said plurality of received RF signals, distinguishes between frequencies in the DCS and PCS bands (see paragraph 6).

Per claims 3, 17, and 33, Hagn further teaches that low pass filter associated with said second RF switch for transmitting selected RF signals from said plurality of RF signals, selectively transmits signals in the DCS and PCS frequency bands (see paragraph 6).

Per claims 4, 18, and 34, Hagan further teaches said tunable band pass filter associated with said third RF switch for distinguishing received selected RF signals from said plurality of received RF signals distinguishes between frequencies in the GSM 800 and GSM 900 bands (see paragraph 5).

Per claims 5, 19, and 35, Hagan further teaches that said low pass filter associated with said transmitting selected RF signals from selectively transmits signals in the GSM 800 and GSM 900 frequency bands (see paragraph 5).

Per claims 11, 25, Hagan further teaches that said tunable band pass filter associated with said third RF switch utilizes semiconductor tunable varactors to enable tuning (see paragraph 153).

5. Claims 14, 28-30, 44, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hagn (US 20020090974A1) in view of Yamakawa et al (US 20030068998A1).

Per claims 14, 28, and 44, Hagn doesn't teach that a duplexer associated with said second RF switch, said duplexer outputting an RF signal to a bandpass filter for transmitting a selected RF signal and receiving a selected RF signal from said bandpass filter. Yamakawa teaches that a duplexer associated with said second RF switch, said duplexer outputting an RF signal to a bandpass filter for transmitting a selected RF signal and receiving a selected RF signal from said bandpass filter (see figure 6, item 308). It would have been obvious to one ordinary skill in the art at the time the invention was made to combine the teaching of Yamakawa with Hagn's invention such that a cellular phone would be able to operate more than two different wireless communication systems.

Per claims 29, 30 and 45, Yamakawa further teaches that said selected transmitted RF signal and selected received RF signal is a signal in the UMTS frequency band (see paragraph 6).

Conclusion

6. This is a continuation of applicant's earlier Application No. 10/748,709. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the

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earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 571-272-7855. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anderson D. Matthew can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yuwen Pan
May 30, 2006



Matthew D. Anderson
Supervisory Patent Examiner